

CITY COUNCIL
ATLANTA, GEORGIA

RESOLUTION BY

04- *R* -1633

FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH RETIRED CHIEF FINANCIAL OFFICER RICHARD J. ANDERSON PURSUANT TO CITY OF ATLANTA CHARTER SECTION 3-505(A) FOR A PERIOD NOT TO EXCEED 130 BUSINESS DAYS; AUTHORIZING EXPENDITURES UNDER SUCH PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$100,000.00 TO BE CHARGED TO AND PAID FROM 1A01 524001 T31001 (PROFESSIONAL & CONSULTANT SERVICES NON-DEPARTMENTAL); AND FOR OTHER PURPOSES.

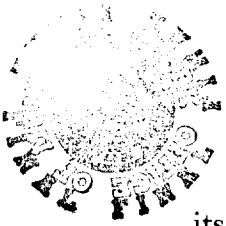
WHEREAS, the Mayor appointed and the City Council confirmed the appointment of Janice D. Davis as Chief Financial Officer; and

WHEREAS, though an accomplished financial professional, Janice Davis Chief Financial Officer, would benefit from certain expertise in the operations and management of the City of Atlanta Finance Department; and

WHEREAS, having served as the Chief Financial Officer Richard J. Anderson brings unique expertise in management of the City's budget, issuance of municipal debt, investment management, strategic financial planning and financial analysis, employee benefits administration, business licensing, revenue collection, and disbursement of City funds; and

WHEREAS, Mr. Anderson retired in 1991 as the City's Chief Financial Officer after a distinguished career that spanned more than twenty years; and

WHEREAS, Mr. Anderson rejoined the City in January 2002, when he was appointed Chief Financial Officer again and successfully served until August 2004; and



WHEREAS, the CITY has undertaken aggressive capital improvement plans for its Airport and Water/Wastewater system, as well as unprecedented economic development activities throughout the City, all of which require extraordinary municipal financial management and innovation techniques; and

WHEREAS, the Department of Finance wishes to engage the contractual services of a retired employee, Mr. RICHARD J. ANDERSON, to accomplish the aforementioned tasks, under the provisions of Section 3-505(a) of the CITY Charter; and

WHEREAS, the Mayor has certified the necessity of this professional services agreement; and

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that, in accordance with City of Atlanta Charter Section 3-505, the Mayor be and is hereby authorized to enter into an appropriate contractual agreement with Richard J. Anderson, a retired City of Atlanta Chief Financial Officer, as an independent contractor, to provide professional services to the City of Atlanta related to municipal financial management for a period not exceeding 130 business days, whether continuously or intermittently, in an amount not to exceed \$100,000.

BE IT FURTHER RESOLVED THAT expenses related to this agreement shall be charged to be paid from fund account center number 1A01 524001 T31001 (Consultant and Professional Services Non-Departmental).

BE IT FURTHER RESOLVED THAT the City Attorney is authorized and directed to draft an agreement to accomplish such contractual arrangement in substantially the same form as attached hereto as Exhibit "A."



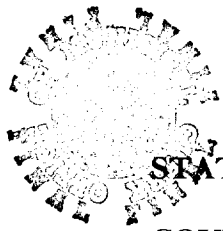
BE IT FINALLY RESOLVED that this contract shall not be binding upon the city, and the city shall incur no liability or obligation thereunder until said contract has been approved as to form by the City Attorney, executed by the Mayor and delivered to the contracting party.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

SEP 20, 2004
SEP 28, 2004



DRAFT

STATE OF GEORGIA

COUNTY OF FULTON

AGREEMENT FOR FINANCIAL CONSULTANT SERVICES

This Agreement, made and entered into this the ____th day of September, 2004, by and between THE CITY OF ATLANTA, a municipal corporation of the State of Georgia, (hereinafter referred to as the "CITY"), and RICHARD J. ANDERSON (hereinafter referred to as "CONSULTANT").

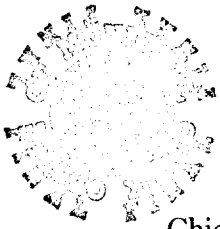
W I T N E S S E T H

WHEREAS, the Mayor appointed and the City Council confirmed the appointment of Janice D. Davis as Chief Financial Officer; and

WHEREAS, though an accomplished financial professional, Chief Financial Officer Janice Davis, would benefit from certain expertise in the operations and management of the City of Atlanta Finance Department; and

WHEREAS, having served as the Chief Financial Officer Richard J. Anderson brings unique expertise in management of the City's budget, issuance of municipal debt, investment management, strategic financial planning and financial analysis, employee benefits administration, business licensing, revenue collection, and disbursement of City funds; and

WHEREAS, Mr. Anderson retired in 1991 as the City's Chief Financial Officer after a distinguished career that spanned more than twenty years; and



WHEREAS, Mr. Anderson rejoined the City in January 2002, when he was appointed Chief Financial Officer again and successfully served until August 2004; and

WHEREAS, the CITY has undertaken an unprecedented and aggressive capital improvement plan for its Airport, Water and Wastewater system, as well as economic development activities throughout the City, all of which require extraordinary municipal financial management and innovation techniques; and

WHEREAS, the Department of Finance wishes to engage the contractual services of a retired employee, Mr. RICHARD J. ANDERSON, to accomplish the aforementioned tasks, under the provisions of Section 3-505(a) of the CITY Charter; and

WHEREAS, the Mayor has certified the necessity of this professional services agreement; and

WHEREAS, the Mayor is authorized to enter into this Agreement by certain legislation, specifically 04-R-_____, adopted by Council on _____ and approved by the Mayor on _____ which is attached hereto as Exhibit "A".

NOW THEREFORE, in consideration of the promises and mutual covenants hereinafter contained, the parties hereto do agree as follows:

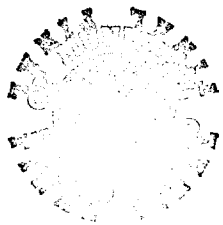


Paragraph One

SCOPE OF WORK AND CONSULTANT RESPONSIBILITIES:

The consultant will provide fiscal assistance, advice and consultation as requested by the Mayor or Chief Financial Officer . Such work and consultation may include but is not limited to:

1. Assistance with the issuance and undertaking of:
 - Water and Wastewater Revenue Bonds
 - Airport Revenue Bonds
 - General Obligation Bonds
 - Tax Allocation District Bonds
2. Assistance in the evaluation and implementation of recommendations from the Pension Technical Advisory Committee.
3. Review of the Bain & Co. "Funding Model Benchmarking" Report, evaluation of other potential new revenue sources, and recommendations on viable sources of revenue enhancement for the City of Atlanta.
4. Assistance in the implementation of the Reorganization of the Finance Department
5. Assistance in review of 2005 budget and development of the Mayor's recommended budget.
6. Assistance in the ongoing civil actions, including resource assistance and consultation with the City Attorney in the following matters:
 - Barnes, et al. v. City of Atlanta,*
 - Greater Atlanta Home Builders, John F. Price, et al v. City of Atlanta*
 - Southern States PBA v. City of Atlanta* ("pension" case)
 - Southern States PBA v. Richard Anderson* ("dues check-off" case)
7. Assistance in the evaluation of the potential engagement of a third party pension administrator, and implementation of same should the decision to enter into such contract be made.
8. Other fiscal assistance, advice and consultation as requested by the Mayor or the Chief Financial Officer.



Paragraph Two

CONSULTANT agrees to perform the work described above in accordance with the highest standards in the profession for a term not to exceed 180 days, whether continuously or intermittently.

Paragraph Three

During the term of this Agreement, CONSULTANT shall report to and be directed by the CFO; however, as an independent contractor CONSULTANT shall enjoy at all times the right to control the time, manner, and method of the performance of his work.

Paragraph Four

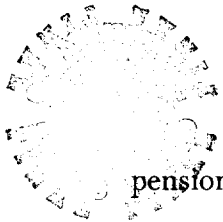
The City agrees to provide CONSULTANT with the use of temporary office space, furniture, equipment, parking and supplies as needed, as well as office support and clerical assistance during the contract term. The City will reimburse CONSULTANT out-of-pocket expenses incurred while carrying out the services required hereunder.

Paragraph Five

In consideration for such financial consultant services, the City agrees to pay CONSULTANT at the rate of \$150.00 per hour, plus approved out-of-pocket expenses.

Paragraph Six

The parties agree that service hereunder shall not constitute re-employment by the City and CONSULTANT shall not acquire civil service rights or employee benefits, including paid vacation or sick leave, or any additional pension rights by virtue of this Agreement. The parties further agree that CONSULTANT shall be entitled to continue to receive his regular



pension payments, and that he will not be required to make any contribution to the pension fund as a result of this Agreement.

Paragraph Seven

Either party upon thirty (30) days prior written notice to the other may terminate this Agreement.

Paragraph Eight

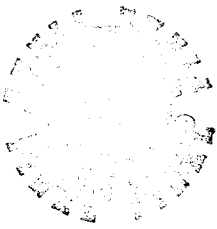
Compensation to CONSULTANT for services performed under this agreement shall be as provided in paragraph three, to be charged to and paid from fund account center number 1A01 524001 T31001 (Consultant and Professional Services Non-Departmental).

Paragraph Nine

CONSULTANT shall maintain all appropriate licenses and certifications relevant to the performance of his duties as provided herein throughout the term of this agreement.

Paragraph Ten

The parties hereto agree that the terms of this Agreement, as contained herein, shall constitute the whole and entire agreement between them. Any changes which may be mutually agreed upon by and between the City and CONSULTANT shall be effective and enforceable only after a written amendment to this Agreement has been duly authorized by Council and executed by both parties.



IN WITNESS WHEREOF, the City of Atlanta, by and through its duly authorized officials, and CONSULTANT have executed this Agreement, attested same, and affixed their respective seals hereunto, as of the day and year first above written.

**CITY OF ATLANTA
ATTEST:**

**CONSULTANT
ATTEST:**

Shirley Franklin, Mayor

RICHARD J. ANDERSON

Municipal Clerk

Sworn to and subscribed before me
this ____ day of September, 2004.

Notary Public

Lynette W. Young
Chief Operating Officer

Janice D. Davis
Chief Financial Officer

Adam L. Smith
Chief Procurement Officer

Approved As To Form:

Rosalind Rubens Newell
Deputy City Attorney

RCS# 6041
9/20/04
2:47 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-16 EXCEPT:04-O-1442,
 04-R-1581, 04-O-1470
 ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		9-20-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1500	41. 04-R-1575	62. 04-R-1608
2. 04-O-1501	42. 04-R-1576	63. 04-R-1609
3. 04-O-1502	43. 04-R-1578	64. 04-R-1610
4. 04-O-1503	44. 04-R-1579	65. 04-R-1611
5. 04-O-1504	45. 04-R-1633	66. 04-R-1612
6. 04-O-1505	46. 04-R-1653	67. 04-R-1614
7. 04-O-1631	47. 04-R-1593	68. 04-R-1615
8. 04-O-1508	48. 04-R-1594	
9. 04-O-1513	49. 04-R-1595	
10. 04-O-0165	50. 04-R-1596	
11. 04-O-1253	51. 04-R-1597	
12. 04-O-1255	52. 04-R-1598	
13. 04-O-1256	53. 04-R-1599	
14. 04-O-1259	54. 04-R-1600	
15. 04-O-1431	55. 04-R-1601	
16. 04-O-1442	56. 04-R-1602	
17. 04-O-1479	57. 04-R-1603	
18. 04-O-1480	58. 04-R-1604	
19. 04-O-1551	59. 04-R-1605	
20. 04-O-1552	60. 04-R-1606	
21. 04-O-1554	61. 04-R-1607	
22. 04-O-1625		
23. 04-O-1627		
24. 04-O-0770		
25. 04-R-1566		
26. 04-R-1568		
27. 04-R-1569		
28. 04-R-1630		
29. 04-R-1635		
30. 04-R-1650		
31. 04-R-1571		
32. 04-R-1632		
33. 04-R-1590		
34. 04-R-1616		
35. 04-R-1580		
36. 04-R-1581		
37. 04-R-1583		
38. 04-R-1584		
39. 04-R-1585		
40. 04-R-1574		

04-1633

(Do Not Write Above This Line)

A RESOLUTION BY

FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH RETIRED CHIEF FINANCIAL OFFICER RICHARD J. ANDERSON PURSUANT TO CITY OF ATLANTA CHARTER SECTION 3-505(A) FOR A PERIOD NOT TO EXCEED 130 BUSINESS DAYS; AUTHORIZING EXPENDITURES UNDER SUCH PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$100,000.00 TO BE CHARGED TO AND PAID FROM 1A01.524001 T31001 (PROFESSIONAL & CONSULTANT SERVICES NON-DEPARTMENTAL); AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 20 2004

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Action

Fav, Adv, Hold (see rev. side)

Other

Refer To

Refer To

Committee

Committee

Date

Date

Chair

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Fav, Adv, Hold (see rev. side)

Other

Refer To

Refer To

CERTIFIED

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☒ Consent

☐ V Vote

☒ RC Vote

SEP 20 2004

ATLANTA CITY COUNCIL PRESIDENT

MAYOR'S ACTION

SEP 28 2004

MAYOR